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VIA ECF FILING

The Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007-1312

Re: *Kroll, LLC v. Povinelli*
Case No. 1:24-cv-01977

Dear Judge Vyskocil:

This Firm represents Plaintiff Kroll, LLC (“Kroll”) in this matter (Case No. 1:24-cv-01977 or “Kroll’s Case”). We write jointly with Defendant’s counsel to advise that Defendant Anna Povinelli filed a related case against Kroll in this court (Case No. 1:24-cv-02066 or “Povinelli’s Case”), pending before Judge Jennifer H. Rearden.

Pursuant to Federal Rule of Civil Procedure, Rule 42(a) and S.D.N.Y. Local Civil Rule 13, we respectfully request that the Court consolidate these cases because they “concern the same or substantially similar parties, property, transactions or events,” “there is substantial factual overlap,” “the parties could be subjected to conflicting orders,” and “absent a determination of relatedness there would be a substantial duplication of effort and expense, delay, or undue burden on the Court, parties or witnesses.” S.D.N.Y. L.R. 13(a)(1).

Briefly, Kroll’s Case centers on Povinelli’s alleged misappropriation of Kroll’s proprietary and confidential information, which lead to the termination of her employment with Kroll. Povinelli’s Case asserts Kroll discriminated against Ms. Povinelli based upon her gender, subjected her to sexual harassment and terminated her for pretextual reasons in retaliation for objecting to the harassment and discrimination in violation of New York State Human Rights Law (“NYSHRL”) and New York City Human Rights Law (“NYSHRL”).

Kroll’s and Povinelli’s claims against the other in each case are factually intertwined. Proceeding with these cases separately will not only result in “a substantial duplication of effort and expense,” but could lead to conflicting outcomes on certain factual and legal issues. S.D.N.Y. L.R. 13(a)(1). As such, the parties respectfully request that Kroll’s Case and Povinelli’s Case be consolidated.

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Thank you for Your Honor's attention to this matter.

Respectfully submitted,

By: */s/ Robert Bernstein*
Robert H. Bernstein
(*pro hac vice*)
Michael J. Slocum
GREENBERG TRAURIG, LLP
Attorneys for Plaintiff Kroll, LLC

cc: All counsel of record (via ECF)

DENIED. SO ORDERED.

Date: 5/15/2024
New York, New York


Mary Kay Vyskocil
United States District Judge